

Serial No. 10/710,308
Attorney Docket No. 70655.1400

REMARKS

Applicants reply to the Office Action mailed on November 29, 2005, within two months. Thus, Applicants request an Advisory Action, if necessary. Claims 1-12 were pending and the Examiner rejects claims 1-10 and 12, and objects to claim 11. In reply, Applicants amend claims 1, 5, 6, 8, 9, 10 and 11, cancel claim 12 without prejudice to filing claims in one or more applications with similar subject matter, add claims 13-15, and address the Examiner's remarks. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

Applicants respectfully assert that the subject matter of the various claims was commonly owned at the time the inventions covered therein were made and therefore, Applicants have complied with 37 C.F.R. § 1.56.

CLAIM 11 OBJECTION

Applicants thank the Examiner for an indication of allowability with regards to dependent claim 11. The Examiner has indicated that claim 11 recites allowable subject matter and that the "prior art of record is silent to the step of initiating verification of the proffered biometric samples includes verifying whether the biometric sample is associated with a preset transaction limit." As suggested by the Examiner, Applicants have amended claim 1 to incorporate the allowable limitations of claim 11. Accordingly, Applicants believe that claim 1 is likewise allowable.

35 U.S.C. § 103 REJECTION

The Examiner rejects claims 1-10 and 12 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2002/0153242 ("Li") in view of U.S. Patent Application No. 2005/0240778 ("Saito"), or alternatively over U.S. Patent Application No. 2003/0106935 ("Burchette, Jr.") in view of Saito. Applicants respectfully traverse these rejections.

As acknowledged by the Examiner, neither Li, Saito, Burchette, Jr., nor any combination thereof, disclose or suggest a method comprising at least "verifying said proffered biometric sample, including determining whether said proffered biometric sample is associated with a preset transaction limitation," as recited in amended claim 1.

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Accordingly, Applicants assert that claim 1 is patentable over the cited references. Claims 2-10 variously depend from claim 1 and contain all of the elements thereof. Therefore, Applicants respectfully submit that claims 2-10 are differentiated from the cited reference at least for the same reasons as set forth above, in addition to their own respective features. Applicants have cancelled claim 12 rendering all rejections of this claim moot. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-10 and 12.

NEW CLAIMS 13-15

New claims 13-15 variously depend from claim 1 and contain all of the elements thereof. Therefore, Applicants assert that new claims 13-15 are differentiated from the cited references at least for the same reasons as set forth above, in addition to their own respective features.

CONCLUSION

Applicants respectfully submit that the pending claims (14 total, 1 independent) are in condition for allowance. No new matter is added in this Reply. Reconsideration of the application is thus requested. **The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-2814.** Applicants invite the Examiner to telephone the undersigned if the Examiner has any questions regarding this Reply or the application in general.

Respectfully submitted,

Dated: January 25, 2006

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